

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 16, 2004  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Deb Schorr  
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 9, 2004.**

**MOTION:** Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated November 9, 2004. Schorr, Hudkins, Workman and Stevens voted aye. Heier abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

**A. Melanie Bailey with the Lancaster County Corrections Department was recognized for receipt of the 28<sup>th</sup> Annual Law Enforcement Officer of the Year Award sponsored by the Capitol Footprint Association of Lincoln.**

- 3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 4) **CLAIMS: Approval of all claims processed through Tuesday, November 16, 2004.**

**MOTION:** Heier moved and Workman seconded approval of all claims processed through November 16, 2004. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

**A. Sale of County property generally located at 3830 Adams Street, Lincoln, Nebraska, legally described as Wesleyan Heights, Lots 94-98, and determination of fair market value of the property.**

The Chair opened the public hearing and asked if anyone wished to testify.

The Chief Deputy Clerk administered the oath to John Layman, appraiser.

Layman explained he had been asked to conduct an appraisal on property located at 3830 Adams Street in Lincoln, Nebraska. He stated he did a market comparison approach on the property utilizing properties that are comparable in condition. The land value, he said, was based on the most recent sale which was adjacent to the subject property in 1997.

Comparables used by Layman were 2960 North 38<sup>th</sup> Street, 4720 Baldwin and 2300 South 13<sup>th</sup> Street. The office building, based on the comparable sales, ranged in value from \$165,000 to \$180,000.

Recommended minimum fair market value by Layman was \$175,000.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

Kristy Mundt, Deputy County Attorney, submitted a report from John Layman, dated November 16, 2004, into the record (Exhibit 1). She also indicated that the resolution declaring the property as surplus and setting the public sale date would be on the Board's agenda for November 23, 2004. Mundt added that the suggested date for the sale was November 30<sup>th</sup>.

**B. An application for an amusement license from Neil H. Zimmer, on behalf of the American Legion Post 294, to hold a fund raising event (card playing, pull tabs and a raffle). The fund raiser will be held on Sunday, November 21, 2004 from 1 p.m. to 10:30 p.m. at the Sprague-Martell Community Center, located at 17490 Southwest 14<sup>th</sup> Street, in Lancaster County, Nebraska.**

The Chair opened the public hearing and asked if anyone wished to testify.

The Chief Deputy Clerk administered the oath to Neil Zimmer, applicant.

5) **PUBLIC HEARINGS CONTINUED:**

Zimmer gave a brief overview of the application and indicated Eugene Egger, Commander of the American Legion Post 294, and Bernie Pavelka, Adjutant of the American Legion Post 294, were also present to answer any questions.

**MOTION:** Heier moved and Hudkins seconded approval of the application for an amusement license from Neil H. Zimmer, on behalf of the American Legion Post 294, to hold a fund raising event (card playing, pull tabs and a raffle) on November 21, 2004. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

6) **NEW BUSINESS:**

**A. A grant contract with Lincoln Medical Education Partnership (Family Violence Council) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$91,820. Term of the grant contract is September 1, 2004 through August 30, 2005. (C-04-0552)**

**MOTION:** Schorr moved and Hudkins seconded approval of a grant contract with Lincoln Medical Education Partnership (Family Violence Council) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$91,820. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

**B. A grant contract with the Rape Spouse Abuse Crisis Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$46,323. Term of the grant contract is September 1, 2004 through August 30, 2005. (C-04-0553)**

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Hudkins seconded approval of a grant contract with the Rape Spouse Abuse Crisis Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$46,323. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

**C. A contract with Johnson Appraisal, LLC, in the amount of \$11,775, for appraisal services in connection with Project C55-F-415 (3), Northwest 27<sup>th</sup> Street, Alvo Road to Waverly Road. (C-04-0559)**

**MOTION:** Hudkins moved and Workman seconded approval of a contract with Johnson Appraisal, LLC, in the amount of \$11,775, for appraisal services in connection with Project C55-F-415 (3), Northwest 27<sup>th</sup> Street, Alvo Road to Waverly Road. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

**D. A Certificate of Substantial Completion for Community Mental Health Midtown Center located at 2966 "O" Street, Lincoln, Nebraska. (C-04-0554)**

**MOTION:** Hudkins moved and Heier seconded approval of a Certificate of Substantial Completion for Community Mental Health Midtown Center located at 2966 "O" Street, Lincoln, Nebraska. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

**E. An interlocal agreement for juvenile services between Lancaster County and Cass County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0555)**

**MOTION:** Heier moved and Workman seconded approval of an interlocal agreement for juvenile services between Lancaster County and Cass County. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**F. An interlocal agreement for juvenile services between Lancaster County and Polk County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0556)**

**MOTION:** Workman moved and Heier seconded approval of an interlocal agreement for juvenile services between Lancaster County and Polk County. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

**G. An interlocal agreement for juvenile services between Lancaster County and Butler County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0557)**

**MOTION:** Heier moved and Schorr seconded approval of an interlocal agreement for juvenile services between Lancaster County and Butler County. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

**H. An interlocal agreement for juvenile services between Lancaster County and Hall County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0558)**

**MOTION:** Heier moved and Workman seconded approval of an interlocal agreement for juvenile services between Lancaster County and Hall County. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

**I. A resolution in the matter of setting the election and boundaries of the Clarendon Hills Road Improvement District in Lancaster County, Nebraska. ( R-04-0137)**

**MOTION:** Schorr moved and Hudkins seconded approval of Resolution 04-0137 in the matter of setting the election and boundaries of the Clarendon Hills Road Improvement District in Lancaster County, Nebraska. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

J. A resolution in the matter of approving an additional expenditure in the amount of \$8,045.38, pursuant to Section 7 of the utility relocation agreement between Lancaster County and Lancaster County Rural Water District No 1, under County Contract No. C-03-0643. (R-04-0139)

**MOTION:** Hudkins moved and Workman seconded approval of Resolution 04-0139 in the matter of approving an additional expenditure in the amount of \$8,045.38, pursuant to Section 7 of the utility relocation agreement between Lancaster County and Lancaster County Rural Water District No 1, under County Contract No. C-03-0643. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the County Engineer to award an order from State of Nebraska Contracts No. 111270C and No. 111220C to Husker Auto Group, in the total amount of \$103,173.00, for two 2005 Chevrolet Silverado pickups with a 2 wheel drive package, one 2005 Chevrolet Silverado pickup with a 4 wheel drive package, and two 2005 Chevrolet Suburban, 9 passenger carryall. (B-04-0047)

**MOTION:** Heier moved and Hudkins seconded approval of the recommendation from the Purchasing Agent and the County Engineer to award an order from State of Nebraska Contracts No. 111270C and No. 111220C to Husker Auto Group, in the total amount of \$103,173.00, for two 2005 Chevrolet Silverado pickups with a 2 wheel drive package, one 2005 Chevrolet Silverado pickup with a 4 wheel drive package, and two 2005 Chevrolet Suburban, 9 passenger carryall. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

L. Recommendation from the Purchasing Agent and the County Engineer to award a bid for rock hauling and production to various stockpiles within the County as follows: (B-04-0048)

**Project 05-20H - Waverly Maintenance Station**

Stanford Madlock & Son (Hauler)	\$2.82/Ton	\$ 27,918.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 90,585.00</u>
<b>Project Total</b>		<b>\$118,503.00</b>

**Project 05-21H - Emerald Stockpile**

LeRoy Hiskey Trucking Co, Inc. (Hauler)	\$4.50/Ton	\$ 15,300.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 31,110.00</u>
<b>Project Total</b>		<b>\$ 46,410.00</b>

**Project 05-22H - Raymond Stockpile**

Westover Rock & Sand (Hauler)	\$4.40/Ton	\$ 17,600.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 36,600.00</u>
<b>Project Total</b>		<b>\$ 54,200.00</b>

6) **NEW BUSINESS CONTINUED:**

**Project 05-23H - SW 12<sup>th</sup> Street & Saltillo Road Stockpile**

Kuhn's Trucking (Hauler)	\$3.56/Ton	\$ 17,800.00
Kerford Limestone (Producer)	\$9.15/Ton	\$ 45,750.00
	<b>Project Total</b>	<b>\$ 63,550.00</b>

**Project 05-24H - SW 98<sup>th</sup> Street & Saltillo Road Stockpile**

Hiskey Trucking (Hauler)	\$4.70/Ton	\$ 26,320.00
Kerford Limestone (Producer)	\$9.15/Ton	\$ 51,240.00
	<b>Project Total</b>	<b>\$ 77,560.00</b>

**Project 05-25H - Roca Stockpile**

Buel Trucking, Inc. (Hauler)	\$3.55/Ton	\$ 42,600.00
Kerford Limestone (Producer)	\$9.15/Ton	\$109,800.00
	<b>Project Total</b>	<b>\$152,400.00</b>

**Project 05-26H - Walton Maintenance Station**

Buel Trucking, Inc. (Hauler)	\$2.45/Ton	\$ 14,945.00
Kerford Limestone (Producer)	\$9.15/Ton	\$ 55,815.00
	<b>Project Total</b>	<b>\$ 70,760.00</b>

**Total cost of hauling and production is \$583,383.00.**

**MOTION:** Workman moved and Hudkins seconded approval of the award of bid for rock hauling and production to various stockpiles within the County as recommended by the Purchasing Agent and the County Engineer. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. **County Assessor/Register of Deeds Monthly Report for October, 2004.**
2. **Clerk of the District Court's Monthly Report for October, 2004.**
3. **County Engineer's Quarterly Report for July, August and September, 2004.**
4. **County Engineer's Quarterly Report for the Geographic Information System Division (GIS) for July, August and September, 2004.**
5. **Records and Information Management's Monthly Report for October, 2004.**

7) **CONSENT ITEMS CONTINUED:**

**B. Setting of a public hearing for Tuesday, November 30, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding amending the Lincoln-Lancaster County Air Pollution Program Regulations and standards, which include amending Article 2, Sections 6, 7, 11, 17, 18, 20, 22 and 28.**

**C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:**

- Bill and Julie Latenser at 1101 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0560)
- Lee R. Zabokrtsky at 1100 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0561)
- George H. and Sharon E. Wingrove at 15200 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0562)
- Opal K and Arthur Harper, in the total amount of \$587.00 at 17421 Old Cheney Road, Walton, Nebraska; Project C55-Q-407 (2). (2 Contracts) (C-04-0563) (C-04-0564)
- Antoinette R. Keim, in the total amount of \$11,376.18 at 17041 Old Cheney Road, Walton, Nebraska; Project C55-Q-407 (2). (2 Contracts) (C-04-0565) (C-04-0566)

**D. A quitclaim deed between Lancaster County and Lillie I. Larsen for property located at Northwest 12<sup>th</sup> Street and Davey Road.**

**MOTION:** Hudkins moved and Workman seconded approval of the Consent Items. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

8) **ADJOURNMENT:**

**MOTION:** Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:10 p.m.. Heier, Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

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Patricia Owen  
Chief Deputy County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, NOVEMBER 16, 2004  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Deb Schorr  
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Kristy Mundt, Deputy County Attorney  
Trish Owen, Chief Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:10 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 9, 2004.**

**MOTION:** Workman moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated November 9, 2004. Schorr, Hudkins, Workman and Stevens voted aye. Heier abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

**Approval of 4 additions and deductions to the tax assessment rolls per Exhibit "A".**

**MOTION:** Workman moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Developmental Services of Nebraska, Inc.  
Pius X High School  
School Sisters of Christ the King**

**MOTION:** Schorr moved and Hudkins seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** Schorr moved and Heier seconded adjournment of the Board of Equalization meeting at 2:12 p.m.. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

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Patricia Owen  
Chief Deputy County Clerk